

United States Bankruptcy Court  
Northern District of Ohio

In re:  
Commonwealth Business Credit, LLC  
Debtor

Case No. 21-31507-jpg  
Chapter 7

District/off: 0647-3  
Date Rcvd: Nov 18, 2021

User: amari  
Form ID: pdf701

Page 1 of 2  
Total Noticed: 2

## CERTIFICATE OF NOTICE

The following symbols are used throughout this certificate:

**Symbol**      **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- # Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2021:**

Recip ID	Recipient Name and Address
db	#+ Commonwealth Business Credit, LLC, c/o Statutory Agent Richard A. Scheich, 7644 King's Pointe Road, Toledo, OH 43617-1500
cr	+ Series 10 of Cadence Group Platform, LLC, c/o Cadence Group, Inc., 86 Broad Street, Suite 205, New York, NY 10004

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Waterford Bank, N.A., 3900 N. McCord Road, Toledo

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 20, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2021 at the address(es) listed below:**

Name	Email Address
Brian C. Kalas	on behalf of Debtor Commonwealth Business Credit LLC kalas@nwklaw.com, denise@nwklaw.com
Eric R. Neuman	on behalf of Trustee Ericka S. Parker Trustee eric@drlawllc.com kim@drlawllc.com;r50765@notify.bestcase.com;Adam@drlawllc.com;raymond@drlawllc.com;leanne@drlawllc.com
Ericka S. Parker Trustee	esparker@sbcglobal.net oh04@ecfcbis.com

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Patricia B. Fugee

on behalf of Creditor Series 10 of Cadence Group Platform LLC patricia.fugee@fisherbroyles.com, cpbf11@trustesolutions.net

Scot A. Hinshaw

on behalf of Debtor Commonwealth Business Credit LLC hinshaw@nwklaw.com

Thomas W. Heintschel

on behalf of Creditor Waterford Bank N.A. theintschel@fhk-law.com

TOTAL: 6

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.



John P. Gustafson  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

Dated: November 8, 2021 NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Case No. 21-31507

In re: Commonwealth Business Credit, LLC  
Debtor.

Chapter 7  
Judge JOHN P. GUSTAFSON

**AGREED ORDER ON (1) THE OBJECTIONS FILED BY THE TRUSTEE AND SERIES 10 OF CADENCE GROUP PLATFORM, LCC TO THE MOTION FOR RELIEF FROM STAY AND ABANDONMENT FILED BY WATERFORD BANK, N.A. AND (2) THE LIMITED OBJECTION FILED BY WATERFORD BANK, N.A., TO THE TRUSTEE'S MOTION FOR TURNOVER**

This matter is before the Court on the following matters:

- (1) the Motion for Relief from Stay and Abandonment filed by Waterford Bank, N.A., ("Waterford") (Doc. No. 33), and the Objections thereto filed by the Trustee, Ericka Parker ("Trustee") (Doc. No 41), and Series 10 of Cadence Group Platform, LLC (Doc. No. 42) ("Cadence"); and
- (2) the Motion for Turnover filed by the Trustee (Doc. No. 37), and the limited objection thereto filed by Waterford Bank. (Doc. No. 43).

The Court being advised that Waterford, the Trustee and Cadence have reached an agreement and resolution with respect to the above matters, and the Court finding that such agreement and resolution is just and proper under the circumstances, the Court hereby finds:

That on August 23, 2021, an involuntary petition for bankruptcy relief was commenced against the Debtor, Commonwealth Business Credit, LLC ("Debtor").

On September 20, 2021, a Stipulation and Agreed Order for bankruptcy relief was entered by the Court. (Doc. No. 8).

That Waterford asserts a claim in this case based upon a loan made by Waterford to the Debtor pursuant to a Note as attached as Exhibit A to its Motion for Relief from Stay and Abandonment.

That Waterford asserts a first priority perfected lien on all of the Debtor's personal property, including its accounts, pursuant to a security agreement as attached as Exhibit B to its

Motion for Relief from Stay and Abandonment. With respect to its secured claim, Waterford submitted with its Motion for Relief from Stay and Abandonment, a UCC-1 filed by Waterford with the Ohio Secretary of State on August 16, 2018, designated document number OH00224055318.

On October 20, 2021, Waterford filed its Motion for Relief from Stay and Abandonment. (Doc. No. 33). In its Motion, Waterford asks that the stay of 11 U.S.C. § 362 be lifted so as to permit Waterford to proceed against its collateral pursuant to applicable nonbankruptcy law. Waterford's Motion also asked that Waterford's Collateral be abandoned pursuant to 11 U.S.C. § 554.

On October 22, 2021, the Trustee filed a Motion for Turnover with respect to Waterford. (Doc. No. 37). In said Motion, the Trustee asked for a court order requiring Waterford to (1) turnover certain documents and information related to the Debtor's business relationship with Waterford; (2) turnover any funds received by Waterford, since the commencement of this case, on account of its interest in the Debtor's accounts; and (3) to account for any funds received by Waterford. With respect to the Motion, Waterford filed a limited objection. (Doc. No. 43). Accordingly, now based upon the agreement and resolution of Waterford and the Trustee, it is hereby

**ORDERED** that the Motion for Relief from Stay and Abandonment (Doc. No. 33) filed by Waterford is hereby Granted subject to the terms and conditions of this Order.

**IT IS FURTHER ORDERED** that the Motion for Turnover (Doc. No. 37) filed by the Trustee is hereby Granted subject to the terms and conditions of this Order.

**IT IS FURTHER ORDERED** that, subject to the terms and conditions of this Order, the Objection filed by Cadence to the Motion for Relief from Stay and Abandonment filed by Waterford is hereby deemed to be withdrawn.

**IT IS FURTHER ORDERED** that the Stay of 11 U.S.C. § 362(a) is hereby terminated and annulled so as to allow Waterford to proceed under applicable nonbankruptcy law with respect to its Collateral, including but not limited to the collection on those accounts of the Debtor in which Waterford claims an interest.

**IT IS FURTHER ORDERED** any interest claimed by Waterford in the Debtor's

property shall not, pursuant to this Order, be abandoned pursuant to 11 U.S.C. § 554.

**IT IS FURTHER ORDERED** that to the extent it has possession or custody of those documents and information requested by the Trustee in the Motion for Turnover that Waterford timely turnover such documents and information to the Trustee.

**IT IS FURTHER ORDERED** that, pursuant to the Trustee's Motion for Turnover, Waterford Bank shall provide the Trustee with a monthly accounting of all funds it receives based upon Waterford's interest in the Debtor's property.

**IT IS FURTHER ORDERED** that Waterford shall not be required to turnover to the Trustee any funds it receives based upon its collection on those accounts in which Waterford claims an interest, including but not limited to the Debtor's account with Sterling Commercial Credit, LLC, and Waterford shall be entitled to apply any such funds received to its claim against the Debtor, until such time as Waterford's claim shall be satisfied in full. Any sums received thereafter shall be turned over to the Trustee.

**IT IS SO ORDERED**

Agreed and approved

/s/Eric R. Neuman

Eric R. Neuman (0069794)  
DILLER & RICE  
Attorney for Trustee  
1105-1107 Adams Street  
Toledo, Ohio 43604  
Phone: (419) 724-9047  
Fax: (419) 238-4705  
eric@drlawllc.com

/s/ Thomas W. Heintschel per email authorization dated 11-16-2021

Thomas W. Heintschel (0008887)  
Frederickson, Heintschel & King Co., L.P.A.  
405 Madison Avenue, Suite 1212  
Toledo, Ohio 43604  
Telephone: (419) 242-5100  
Email: [THeintschel@fkh-law.com](mailto:THeintschel@fkh-law.com)  
Attorney for Waterford Bank, N.A.

*/s/ Patricia Fugee per email authorization dated 11-16-2021*

Patricia Fugée (0070698)

FisherBroyles, LLP

27100 Oakmead Drive #306

Perrysburg, Ohio 43551

Phone: (419) 874-6859

Fax: (419) 550-1515

email: [particia.fugee@fisherbroyles.com](mailto:particia.fugee@fisherbroyles.com)

Attorney for Series 10 of Cadence Group

Platform, LLC